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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/507,427	02/19/2000	John Marks	10991105-1	1388

22879 7590 01/15/2003

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EXAMINER

HO, THE T

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 01/15/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/507,427

Applicant(s)

MARKS ET AL.

Examiner

The T. Ho

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is in response to the application filed 02/19/2000.
2. Claims 1-21 have been examined and are pending in the application.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 8, 10 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hao U.S Patent No. 5,844,553.

As to claim 8, Hao discloses transmitting events to be shared from the local application (113 to 112, Fig. 2); receiving events by a local application sharing logic (input events going from 112 to 115, Fig. 2); pacing the transmission of events (input events going from 115 to 122, Fig. 2) from local application sharing logic to a remote application sharing logic (122, Fig. 2); receiving events from the local application sharing logic (input events going to 122, Fig. 2); and transmitting events to the remote application (123, Fig. 2) for processing (execute received events, line 2 column 7).

As to claim 10, note the discussion of claim 8 above. Hao further teaches receiving an event reply from the remote application (123 to 122, Fig. 2); transmitting

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event reply to the local application for processing (data exchanged between server 106 and user workstations 102-104, Fig. 1).

As to the system of claim 1, note the discussion of the method of claim 8 above.

As to the system of claim 15, note the discussion of the method of claim 8 above.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hao in view of Stumm U.S Patent No. 5,768,528.

As to claim 9, Hao does not explicitly teach transmitting event at predetermined interval. Stumm discloses a client and server system in which information is transmitted at predetermined interval (providers transmit desired data to their targeted customers at predetermined interval lines 44-45 column 1). It would have been obvious to apply the teachings of Stumm to the system of Hao because this allows the intended information to be received at the right time as disclosed by Stumm (lines 35-41 column 1). Hao as modified by Stumm would have a local application transfer shared event to a remote application at predetermined interval.

As to claim 2, note the discussion of claim 9 above.

As to claim 16, note the discussion of claim 9 above.

5. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hao in view of Othmer U.S Patent No. 6,167,358.

As to claim 11, Hao does not explicitly teach calculating delay status in processing. Othmer teaches a server monitor the performance of clients processing (generate statistics about the frequency of each problem, lines 43-65 column 2). It would have been obvious to apply the teachings of Othmer to the system of Hao because this allows the server to detect defects of client processes as disclosed by Othmer, lines 30-42 column 2). Hao as modified by Othmer would have a local application monitors the performance of a remote application.

As to claim 12, Othmer further discloses generating a warning message for display to the local application (transfer the accumulated information back to server, lines 46 column 2).

As to claim 13, Hao as modified further discloses displaying a pacing meter indicator (116 and 117, Fig. 2).

As to claim 14, Hao as modified further discloses utilizing color to indicate status (GUI, line 49 column 4).

6. Claims 3-7 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hao in view of Stumm, and further in view of Othmer.

As to claims 3-7, note the discussions of claims 10-14 above, respectively.

As to claims 17-21, note the discussions of claims 10-14 above, respectively.

***Conclusion***

Please refer to the references listed on the attached PTO-892, which are not relied upon in the claim rejections detailed above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The T. Ho whose telephone number is 703-306-5540. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Thursday, 8:30 am – 6:00 pm, and every other Friday from 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

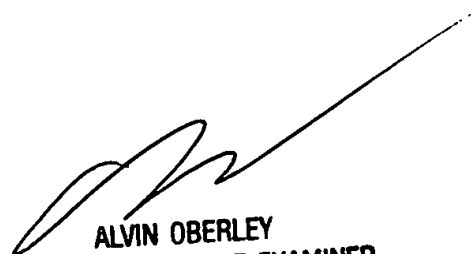
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Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238
- OFFICAL faxes must be signed and sent to (703) 746 – 7239
- NON OFFICAL faxes should not be signed, please send to (703) 746 – 7240

t.h  
January 10, 2003

  
**ALVIN OBERLEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**